

State of California
AIR RESOURCES BOARD

EXECUTIVE ORDER I-09-039

Relating to Independent Contractor Approval under
California Code of Regulations, Title 17, Section 91207

Fossil Energy Research Corporation

WHEREAS, the Air Resources Board (ARB), pursuant to California Health and Safety Code section 41512, has established the procedures contained in California Code of Regulations, title 17, sections 91200-91220, to allow the use of independent testers for compliance tests required by ARB; and

WHEREAS, it has been determined that Fossil Energy Research Corporation meets the requirements of ARB for conducting ARB Test Methods 1, 2, 3, 4, 5, 17, and 100 (CO, CO₂, NO_x, O₂) pursuant to California Code of Regulations, title 17, sections 91200-91220, when the following conditions are met:

1. Fossil Energy Research Corporation calibrates and repairs its nozzles used in isokinetic testing as required by section 5.1 of ARB Test Method 5, and establishes and maintains a log of the calibrations which shall include notes on the repairs on each nozzle;
2. Fossil Energy Research Corporation permanently marks or engraves an identification number on the body of each of its pitot tubes;
3. Fossil Energy Research Corporation obtains and uses the separatory funnels and methylene chloride required for ARB Test Method 5 back-half analysis;

WHEREAS, ARB's Executive Officer, pursuant to California Health and Safety Code, section 39516, issued Executive Order G-02-008 delegating to the Chief of ARB's Monitoring and Laboratory Division the authority to approve independent testers in accordance with California Code of Regulations, title 17, sections 91200-91220.

NOW, THEREFORE, I, William V. Loscutoff, Chief of ARB Monitoring and Laboratory Division, order that Fossil Energy Research Corporation is granted an approval, from the date of execution of this order until June 30, 2010, to conduct the tests listed above, subject to compliance with California Code of Regulations, title 17, sections 91200-91220.

BE IT FURTHER ORDERED that during the approved period, the Executive Officer or his authorized representative may field audit one or more tests conducted pursuant to this order for each type of testing listed above.

Executed at Sacramento, California this 19th day of August 2009.

Original signed by

William V. Loscutoff, Chief
Monitoring and Laboratory Division